

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11892 of 2018

Arising Out of PS.Case No. -138 Year- 2012 Thana -SHERGHATI District- GAYA

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Rukhiya Devi wife of Kuleshar Mandal, resident of Village- Kathar, P.S.
Sherghati, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Md. Javed Jafar Khan, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 04.01.2018 in connection with Sherghati P.S. Case No. 138 of 2012 for the offences alleged under Sections 304(B), 201/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be the mother-in-law of the deceased. The accusations against the accused persons are general and omnibus in nature and no specific role has been attributed to the petitioner who happens to be a lady of over 75 years of age and is suffering from facial paralysis. It is further stated that the husband of the deceased is already in custody. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 138 of 2012, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner will be well represented on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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